

RESPONSE TO RESTRICTION REQUIREMENT	Application #	10/521,199
	Confirmation #	8648
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	First Inventor	PILETSKY
	Art Unit	1797
	Examiner	Menon, Krishnan S.
	Docket #	P08541US00/BAS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

In response to the Restriction Requirement dated February 12, 2008, Applicants submit the following response.

In the Restriction Requirement, the Examiner alleges that the present application includes claims directed to three groups of claims/subject matter, namely:

Group I, claims 1-12, drawn to a method of making a membrane;

Group II, claims 15 and 17, drawn to a membrane; and

Group III, claims 13 and 14, drawing to a method of using a membrane.

In addition, the Examiner alleges that the claims are directed to more than one species of the generic invention, requiring election of species from the following:

A. One functional monomer from what is disclosed and/or presented in the Markush group of claim 4;

B. One crosslinker, from the disclosure or which was presented in the Markush group of claim 4;

C. One plasticizer from the disclosure or which was presented in the Markush group of claim 5; and

D. One class of pore-forming component selected from: (1) organic compounds; (2) inorganic compounds; (3) soluble polymers; or (4) insoluble polymers; combined

with an election of one specific compound from the elected class, to have one elected compound as the porogen.

It was indicated that, upon allowance of a generic claim, Applicants would be entitled to consideration of claims to additional species which are written in dependent form or which otherwise include all limitations of an allowed generic claim, in accordance with 37 C.F.R. § 1.141.

In response to the allegation that the present application is drawn to more than a single invention, in accordance with 37 C.F.R. § 1.499, Applicants respectfully submit that the present invention is directed to a single general inventive concept under PCT Rule 13.1, as corresponding to the special technical feature of claim 1. Although it was alleged that Murray (U.S. Patent No. 2003/0113234) anticipates the subject matter of claim 1, Applicants respectfully submit that upon a full examination of claim 1, it will be determined that claim 1 does present novel subject matter. Moreover, the claims of Groups II and III are written in dependent claim form, such that upon allowance of claim 1, dependent claims of Groups II and III will be allowable for at least being dependent on the subject matter of an allowable claim of Group I. Accordingly, all claims should be examined in the present application as being directed to a single general inventive concept, in accordance with PCT Rule 13.1, as the claims are directed to a method of making a membrane (claims 1-12), the membrane itself (claims 15 and 17), and a method of using the membrane (claims 13 and 14).

Notwithstanding the foregoing, Applicants respectfully elect Group I, claims 1-12, with traverse.

With regard to the election of species requirement, Applicants elect the following species for A-D, as requested, namely:

- A. methacrylic acid as the functional monomer;
- B. tri(ethylene glycol)dimethacrylate as cross-linking agent;
- C. oligourethane acrylate as plasticizer; and
- D. polyethylene glycol, a (3) soluble polymer, as a pore forming component.

Please note that the elected species are from the specification, Example 1, and page 9, as an example of the class "soluble polymers."

Finally, in response to claims readable on the elected species, all claims are readable on the choices of species A, B and C and claims 1-7 and 13-17 are readable on the elected species, D.

Applicants respectfully reserve the right to have all other species not elected considered upon allowance of the generic claim.

Respectfully submitted,

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/Stephen J. Weyer/

By: Stephen J. Weyer
Registration No.: 43,259

STITES & HARBISON PLC ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ CUSTOMER NO. 000881